

ONE THAT IS WILY

Mrs. Haines Puts a Clever Witness on the Stand.

SHE HAD THE CASE DOWN PAT

Names, Dates and Circumstances of Old Time Gossip Are an Open Book to Mrs. Chamberlain.

Thomas Deary of Grand Rapids, was the first witness called in the Brown will suit yesterday. He had known Jas. H. Brown well. Had heard him say early in the '80s that he had killed his daughter Margaret about all he had.

Cross-examination by Mr. Uhl changed Mr. Deary's mind as to the time at which he heard Brown speak of his will, to three or four years ago. Conversation about it took place at Brown's house.

Re-direct—Will Brown and Mrs. Hayden visited witness about a week ago. They told him they wanted him to testify in the case. Told Will he didn't know much about it. Joseph Berles was called. Had done business with Brown. Considered him a shrewd buyer. Cross: Will Brown always attended his uncle in making purchases. Knew nothing of Brown's relation with his family or condition of mind.

Probate Judge Perkins was again called. Knew Brown, after he had made his will. Never had noticed that he was not in sound mind. Thought he saw him on February 10, 1931, but wasn't sure. Cross-examination: Often had insane people before him, and couldn't always tell them from the sane. Mental defect couldn't be determined always in a maniac until the subject upon which that person was insane was touched upon.

She Was Easy Upon Him.

Thomas Deary was recalled. Testified that he owed the Brown estate \$150.00. That he had been notified that that debt must be paid, but Mrs. Haines told administrator to press it, for form was one of her witnesses. Re-direct: Had been notified to pay the \$150.00 after Will Brown and Mrs. Hayden had called at his house.

Deputy County Clerk Carpenter produced a record of forty-one law cases in which Brown was complainant, and fifteen in which he was defendant. Thirty cases filed in complainant and five defendant. This record covered the period from 1854 to 1891. From 1877 to 1891 there were sixteen cases of law in which he was complainant and nine in which he was defendant; in eleven cases, nine complainant and two defendant. Clerk Andrew Fyfe of the superior court testified that the records of his court showed that Brown had had fourteen law cases and one chancery case in that court from 1875 up to the time of his death. Mr. Maher then read extracts from Brown's diary until the court adjourned.

Afternoon Session.

The afternoon session was opened by the defense reading from the diary of Jas. H. Brown for 1877 beginning in April, the month in which his granddaughter, Maude Hayden, died. Almost every day Mr. Brown recorded "To home all day" and made several entries, one of them usually being for meat.

Mrs. Martha Chamberlain was the first witness called and was examined by Mr. Maher. Witness became acquainted with Jas. H. Brown in 1879, acquaintance beginning on occasion of witness renting a house of him at that time. Lived in it until '85. She then went to Indiana and, returning after six months, rented another house of him until '90. Had conversations with Brown about his family. Mrs. Brown called on witness and said her daughter was visiting her from the west and was in poor health. Afterwards when Brown called to collect, witness asked how his daughter was, so Brown told her about setting Hayden up in business three times, and that he was good for nothing; that Hayden had gone west and left his wife and child in his (Brown's) care, and the child died, and they sent for Hayden and to raise money to come to his child's funeral. Hayden had to pawn his personal effects.

Learned in Other People's Affairs.

The story of Hayden's new silk hat at that time was also related by the witness, who gave her entire testimony with phenomenal fluency. In fact the lady seemed to be an all-absorbent repository of the Brown family's affairs. Brown talked with witness about his will in '88, after his wife died. Also in '91, witness told Brown about her loss of property and home, and Brown said he, too, had seen trouble, but that now he had enough to keep his family out of want, that if he gave his daughter Margaret one dollar she would put another to it. Brown then told witness the conditions of his will, which conditions she repeated.

Mr. Smiley conducted the cross-examination. Witness said she lived in Brown's house from '79 to '85, paying \$8 a month. It was in the forenoon that Brown talked with her about the will.

"How do you know it was in the forenoon?"

"Because I hadn't had my dinner."

"How do you know you hadn't had your dinner?"

"Well, I know when I haven't had my dinner. Don't you know when you haven't had your dinner?"

"Not eleven years after?"

Brown said he had to furnish money for the Haydens to go west. Said he would his wife \$5,000 in insurance and the homestead and some personal property. Witness said if she was his wife that she would kick about being left so little. Never heard him say anything about his wife but that Alice had such influence over her mother that she would get everything away from her in five years. Witness came to testify because Mrs. Haines asked her to do so last July before witness went to Mr. Gleason.

She Had Heard Wonderful Tales.

Went to Gleason because she was afraid she would have to be a witness. Was very much frightened. Reason she was frightened was because she had heard such dreadful tales about Mrs. Haines from Will Brown and the rest of them. Had heard that Mrs. Haines kept an awful dirty house, and that she had a devilish temper, and she was afraid that to know such a woman would get her into trouble. Never suggested to Mr. Gleason that it would be a good thing for the case if she (the witness) went out of the way. Never said \$200 or \$300 would get her away and that she wanted to get away on witness and Mr. Gleason wouldn't dare say that she did suggest such a thing. In '90 heard Brown tell Mrs. Haines that if Mrs. Hayden went to Indiana with the provisions of his will and should try to break it to fight it to the bitter end, for he would rather the lawyers would get it then Alice—they

might do some good with it, but Alice never would. Brown said Alice cared for him only till she got all the contents of his will, but she had received all she ever would till he was gone. Mrs. Haines heard this conversation, but didn't say a word. In '88 witness saw Brown in his dooryard, and Mrs. Haines stood near enough to hear all he said. Witness said: "Brown wasn't so blind as you would think for." Objected to telling the conversation that occurred in the dooryard, because witness thought Mr. Smiley would be sorry if he made her tell it. At an order from his honor, witness told the conversation in substance as follows:

Left to the hired girls.

Brown said he was having good success he had had Mr. and Mrs. Haines come to take care of him; that he had had no care, even when Alice was there except from hired girls. Said he had not expected Alice would care for him when she was sick, but when she got better she cared only for Will Brown and spent all the time in his company. They would be upstairs together, or go out together and remain out long after dark, and that Alice hindered Will from his business. Also that he believed Will Brown was stealing money from him. Told about Alice stealing napkins, sheets and pillowcases, and every bit of clothing that belonged to her mother. That they put such a ragged sheet on his bed that he got his leg all tangled up. Told about Mrs. Brown getting angry at Alice in '86, because she caught Will Brown and Alice in a compromising position. Mother was very angry at Alice, but smoothed it over because she never expected to see her again, and so went with her as far as Chicago. Said that for five years Will Brown didn't earn his board and clothing, but hoped that some day he (Brown) would have his eyesight again and then be able to look over his own books. Brown told witness about having an operation performed on his eyes, but didn't say what physician did it. During conversation about Alice, Mrs. Haines never said one word, although she must have heard every word, for Brown didn't speak in any low tone. Witness insisted that she had not desired to tell the conversation, but the reason she had was because

"The Honorable Judge Told Me

I must answer the question." Didn't know what any one else would call it, but she would say that Brown was very angry during the conversation. Witness never thought Brown was complaining, though he did call his daughter and Will Brown thieves and robbers, and say that Alice had stolen a pickle-caster. Witness never answered a word to old Brown, but thought it was an awful state of affairs, and an awful story. The day after Brown died, witness asked Mrs. Haines if she had sent for Alice, and Mrs. Haines said: "No, you remember how father felt towards Alice, and I propose to follow out his wishes; but I expect Will or Henry Brown will send for her."

Yes, she had talked with Mr. Dunham and the other lawyers about these conversations. Witness heard it read from the paper by Judge Stevens of the United States court. Lindsay was arrested a few months ago by Deputy Marshal Judd for making a fraudulent application for a pension. He made the application in the name of his half-brother, John V. Lindsay, who served during the war. Geo. A. did not serve in the army, and he supposed his brother to be dead as he had not heard from him for twenty years. When the application was placed on file in the pension department it was discovered that another claim for the same service had been filed a few days previous, and an investigation followed. It was discovered that the original John V. Lindsay was a resident of the eastern part of the state, and Geo. A. Lindsay was arrested for attempting to defraud the pension service.

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